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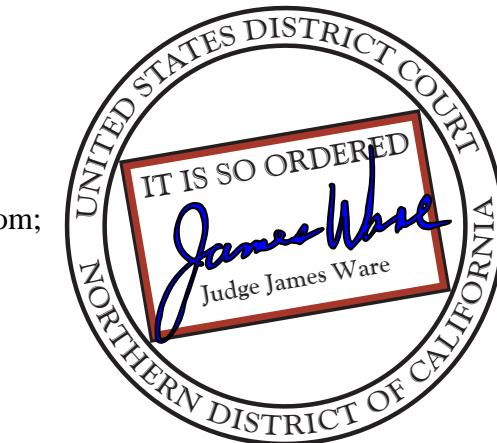
31 UNITED STATES DISTRICT COURT
32 NORTHERN DISTRICT OF CALIFORNIA
33 SAN JOSE DIVISION

34 BRIAN F. GORDON, on behalf of himself and all
35 others similarly situated,

36 Plaintiff,
37 v.

38 APPLE COMPUTER, INC., and, DOES 1
39 THROUGH 50, inclusive,

40 Defendant.



41 Case No. 5:06-cv-05358-JW

42 JOINT UPDATED CASE
43 MANAGEMENT STATEMENT;
44 ORDER VACATING CONFERENCE

45 Date: September 24, 2007
46 Hon. James Ware

The parties in the above-referenced case submit this joint statement to notify the Court that they have reached an agreement to settle this matter. The parties have begun the process of preparing the settlement documentation and will file a Motion for Preliminary Approval on or before November 15, 2007. The parties will notice the motion for hearing on an appropriate date thereafter in accordance with Local Rule 7.2, unless the Court prefers alternative scheduling.

In light of the settlement of this matter, the parties request that the Case Management Conference currently set for September 24, 2007, be taken off calendar.

Dated: September 7, 2007

PENELOPE A. PREOVOLOS
ANDREW D. MUHLBACH
JOHANNA W. ROBERTS
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Dated: September 7, 2007

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By: /s/ Ronald J. Aranoff
Ronald J. Aranoff

Attorneys for Plaintiff
BRIAN F. GORDON

1 I, Penelope A. Preovolos, am the ECF user whose ID and password are being used to file
2 this Joint Updated Case Management Statement and Proposed Orders. In compliance with
3 General Order 45.X.B, I hereby attest that Ronald J. Aranoff has concurred in this filing.

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6 Dated: September 7, 2007

PENELOPE A. PREOVOLOS
ANDREW D. MUHLBACH
JOHANNA W. ROBERTS
NATALIE NAUGLE
MORRISON & FOERSTER LLP

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By: /s/ Penelope A. Preovolos
Penelope A. Preovolos

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Attorneys for Defendant
APPLE COMPUTER, INC.

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ORDER

In light of the parties' notice of settlement and parties' intent to filing a Motion for Preliminary Approval of Settlement in accordance with the Local Rules, the Court VACATES the case management conference presently scheduled for September 24, 2007.

Dated: September 10, 2007



JAMES WARE
United States District Judge